

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

IMHOTEP H'SHAKA,

Plaintiff,

-against-

JOSEPH BELLNIER; JAMES O'GORMAN; MAUREEN
BOSCO; DEBORAH MCCULLOCH; JOANNE
WALDRON; JOSEPH PORCELLI; KEVIN RANDALL;
DAVID LUCIA; JUSTIN DELISLE,

Defendants.

**STIPULATION
REGARDING EXPERT
EXAMINATION OF
PLAINTIFF**

17-CV-0108

GTS/ATB

IT IS HEREBY AGREED, by and between counsel for the respective parties, that a psychological expert of defendants' choosing shall be permitted to conduct an interview and examination of plaintiff Imhotep H'Shaka at Clinton Correctional Facility. The following terms and conditions shall apply to the interview and examination:

1. For purposes of confidentiality, the interview will be conducted privately, without the interference of Clinton staff. To facilitate the necessary one-on-one interview and examination, staff at Clinton Correctional Facility shall provide a secure space, such as an attorney-client meeting room. Clinton Security staff who escort the plaintiff to the interview and examination shall remain outside the room during the course of the entire interview and examination.

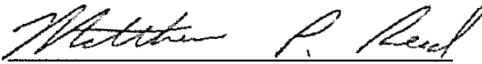
2. All documents, forms, papers, or other non-digital materials utilized during the interview and examination of plaintiff by the psychological expert shall remain confidential, and shall not be read, reviewed, copied, or retained by any employee at Clinton Correctional Facility.

3. Any personality assessment tests that require completion by the plaintiff during or after the interview and psychological examination shall be possessed solely by the plaintiff until such time as he requests assistance from Corrections Staff in mailing his completed assessment to the psychological expert's place of business. Notwithstanding this provision, Corrections Staff may handle and transport the uncompleted evaluation form in order to facilitate the plaintiff's transfer from the interview room to his cell. Once requested by plaintiff, Corrections Staff should mail his completed assessment to the psychological expert without unsealing or examining the outgoing mail.

4. At some time following the conclusion of the interview and psychological examination, the psychological expert shall prepare a written report. Said report shall be disclosed to counsel for both parties in accordance with Federal Rule of Civil Procedure 35 and the Court's scheduling order.

Dated: Albany, New York
June 26, 2018

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June 26, 2018

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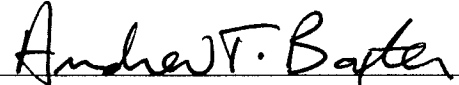
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IT IS SO ORDERED:



Andrew T. Baxter

U.S. Magistrate Judge

Dated: June 26, 2018

Syracuse, NY